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*Attorney for Plaintiff*

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

AF HOLDINGS LLC,

Plaintiff,

v.

STEVEN PECADESO,

Defendant.

No. 3:12-cv-02404-SC

**PLAINTIFF'S NOTICE OF VOLUNTARY  
DISMISSAL OF ACTION WITHOUT  
PREJUDICE**

**NOTICE OF VOLUNTARY DISMISSAL OF ACTION WITHOUT PREJUDICE**

**NOTICE IS HEREBY GIVEN** that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses this action in its entirety without prejudice.

In accordance with Federal Rule of Civil Procedure 41(a)(1), Defendant has neither filed an answer to Plaintiff's Complaint, nor a motion for summary judgment. Dismissal under Federal Rule of Civil Procedure 41(a)(1) is therefore appropriate.

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Respectfully Submitted,

**DATED: February 5, 2013**

By: /s/ Brett L. Gibbs, Esq.

Brett L. Gibbs, Esq. (SBN 251000)  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on February 5, 2013, all individuals of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document, and all attachments and related documents, using the Court's ECF system.

/s/ Brett L. Gibbs  
Brett L. Gibbs, Esq.